



December 8, 1999

Ms. Paula A. Jones
General Counsel
Employees Retirement System of Texas
P.O. Box 13207
Austin Texas 78711-3207

OR99-3552

Dear Ms. Jones:

You ask whether the Employees Retirement System ("ERS") is required, under the Public Information Act, chapter 552 of the Government Code, to comply with the following request: "I would request . . . that if you receive any further communications from Cigna in this matter, you furnish me a copy." Your query was assigned ID# 131883.

It has long been the position of this office that the Public Information Act applies only to information already in existence at the time of a request. *See* Open Records Decision No. 452 (1986); Gov't Code §§ 552.002, .021, .227, .351. Moreover, a governmental body need not comply with a standing request to provide information on a periodic basis. Open Records Decision No. 465 (1987). Neither must it treat a request as embracing information created after the request was made. Open Records Decision No. 452 (1986). Therefore, ERS is not required under the Public Information Act to comply with the above-quoted request.

If you have questions in this matter, please contact our office.

Sincerely

William Walker
Assistant Attorney General
Open Records Division

WMW/ljp

Ref: ID#131883

cc: Honorable Darrell Hester
County of Cameron
964 East Harrison Street
Brownsville, Texas 78520